

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 18, 2002

DIVISION TWO

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
Ashmann-Gerst, J.

B161435 Kim T. (Not for Publication)
v.
Superior Court, Los Angeles County
(D.C.F.S., r.p.i.)

The petition for writ of mandate is granted. The order to show cause is discharged.

Nott, Acting P.J.

We concur: Doi Todd, J.
Ashmann-Gerst, J.

DIVISION THREE

B151244 Gary Guerrero (Not for Publication)
v.
City of Los Angeles

The judgment is affirmed. Respondent(s) to recover costs.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B154694 Alan Phan
v.
Gerald Newman, et al.

Filed order denying petition for rehearing and request for publication of opinion denied.

B146155 Greg Cortese, et al.
v.
The J. Paul Getty Trust

Filed order denying petition for rehearing.

DIVISION FOUR

B125242 Bravo (Not for Publication)
v.
Giblin

The judgment is modified to reflect a reduction in the amount awarded in the amount of \$14,280. As modified, the judgment is affirmed. The parties are to bear their own costs on appeal.

Curry, J.

We concur: Epstein, Acting P.J.
Hastings, J.

B156073 Dillon (Not for Publication)
v.
Governing Board of The Long Beach Unified School District

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

DIVISION FOUR

B152665 Tchakmakjian (Not for Publication)
 v.
 City of Glendale

The judgment is affirmed.

Curry, J.

We concur: Epstein, Acting P.J.
 Hastings, J.

B157085 People (Not for Publication)
 v.
 Rodolfo C.

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
 Curry, J.

B156970 People (Not for Publication)
 v.
 Jablonski

For the foregoing reasons, this matter is remanded for resentencing. In all other respects the judgment is affirmed.

Curry, J.

We concur: Epstein, Acting P.J.
 Hastings, J.

DIVISION FIVE

B151458 Papa John's Pizza, et al. (Not for Publication)
 v.
 Judy Ha.

The judgment is reversed. Tenant (respondent) is to pay landlord's costs on appeal.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

B153171 Mac Neufeld, et al. (Not for Publication)
 v.
 OZ-US Film Productions PTY Limited.

The order is affirmed. OZ-US's (respondent) motion for sanctions, filed September 13, 2002, is denied. OZ-US is awarded its costs on appeal.

Grignon, J.

I concur: Turner, P.J.
I dissent: Mosk, J. (Opinion)

B154200 Marilyn Ross (Not for Publication)
 v.
 Wesco Aircraft

The judgment is affirmed. Respondent Wesco Aircraft is awarded its costs on appeal.

Grignon, J.

We concur: Turner, P.J.
 Mosk, J.

November 18, 2002 (Continued)

DIVISION FIVE (Continued)

Mosk, J.

DIVISION FIVE (Continued)

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The judgment is affirmed.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

B153886 Ruel Mizrachi (Not for Publication)
v.
Ziona Rotter, as Trustee etc.

The order is affirmed. Ziona Rotter, as trustee of the Joseph and Sara Jane Mizrahi Revocable Trust, shall recover her costs incurred on appeal.

Turner, P.J.

We concur: Grignon, J.
Mosk, J.

B154311 Peggy J. Soukup (Not for Publication)
v.
Greg K. Hafif, et al.

Filed order modifying opinion. Petitions for rehearing are denied. (No change in the judgment)

Justice Mosk would grant a rehearing.

DIVISION SIX

B156044 Doherty (Certified for Publication)
v.
Doherty

We dismiss the appeal and issue a peremptory writ of mandate directing the trial court to vacate its November 20, 2001, order, and enter a different order finding there is no community interest in the Kodak mortgage subsidy received after the parties' separation. Judith is entitled to costs.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B141914 Gass, et al. (Not for Publication)
v.
NSK LTD., et al.

The judgment is affirmed. Costs on appeal are awarded to appellants Gass.

Perren, J.

We concur: Gilbert, P.J.
Yegan, J.

B154097 Maes (Not for Publication)
v.
Roberts

The judgment denying attorney fees to Maes is reversed. On remand, the trial court is ordered to strike paragraph E from the judgment and award Maes her reasonable attorney fees incurred in bringing the section 664.6 motion. In all other respects the judgment is affirmed. The parties shall bear their own costs on appeal.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

November 18, 2002 (Continued)

DIVISION SIX (Continued)

B159261 People (Not for Publication)
v.
Gonzalez

The judgment (order of recommitment) is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

DIVISION EIGHT

B156183 Magness Petroleum Company (Certified for Publication)
v.
Warren Resources of California, Inc., et al.

The order denying Magness' petition to compel arbitration before the American Arbitration Association is reversed, and the cause is remanded to the trial court with directions to vacate its order and enter a new order granting Magness' petition and denying Warren's. Magness is to recover costs on appeal.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.

B154795 People (Not for Publication)
v.
Lomeli

The jury's true findings on the Penal Code section 186.22, subdivision (b)(1) allegations are reversed, and the three-year Penal Code section 186.22, subdivision (b)(1) enhancement imposed by the court on count one is vacated. In all others respects, the judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.

DIVISION EIGHT (Continued)

B151242 Margie Cruz (Not for Publication)
 v.
 Arthur Cruz

The judgment is affirmed. Arthur is to have his costs on appeal.

Boland, J.

We concur: Cooper, P.J.
 Rubin, J.

B151722 People (Certified for Publication)
 v.
 Hall

The trial court's order requiring appellant to perform community service in lieu of paying probation costs is stricken. The case is remanded to the trial court with directions to institute proceedings in accordance with Penal Code section 1203.1 b, subdivision (b) to determine appellant's ability to pay all or part of the costs of his probation and the amount of such payment. In all others respects, the judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
 Rubin, J.

B156559 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Concetta T.,
 In re Summer T., a Person Coming Under the Juvenile Court Law.

The judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
 Rubin, J.

November 18, 2002 (Continued)

DIVISION EIGHT (Continued)

B161062 Tanya H. (Not for Publication)
v.
Superior Court, Los Angeles County
(Los Angeles Department of Children and Family Services, r.p.i.)

The petition for extraordinary writ is denied.

Cooper, P.J.

We concur: Rubin, J.
Boland, J.